

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CRIMINAL NO. 3:06-CR-118-2-W**

**UNITED STATES OF AMERICA, )  
                                )  
                                )  
vs.                         )  
                               )  
**SEAN TREMAIN PHILLIPS, )  
                               )  
                               )  
**Defendant.              )**  
                               )  
                               )****

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**ORDER**

THIS MATTER is before the Court upon Defendant's ex parte Motion for Psychiatric/Psychological Evaluation (Doc. No. 24) and Defendant's unopposed Motion for Continuance of Sentencing (Doc. No. 25). For the reasons stated in Defendant's motions and on the record in open court, it is now therefore ORDERED that:

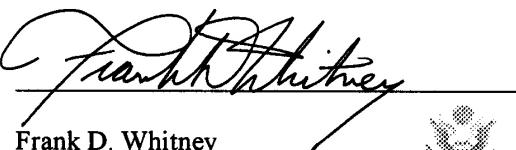
1. Defendant's motions are GRANTED;
2. Defendant shall be committed to the custody of the Attorney General for placement in a suitable facility for psychiatric or psychological evaluation, pursuant to 18 U.S.C. §§ 4241(b) and 4247(b), for a reasonable period not to exceed thirty days, unless good cause is shown for an extension;
3. The scope of the aforementioned psychiatric or psychological examination shall be limited to (a) a determination of Defendant's mental competency at the time he accepted his guilty plea, and (b) his present competency to stand for sentencing;
4. A psychiatric or psychological report shall be filed with the Court pursuant to 18 U.S.C. §§ 4241(b) and 4247(c);
5. Defendant's motions, this Order, and the psychiatric/psychological report shall be

filed under seal until further order of the Court; and

6. Defendant's sentencing is hereby continued to the next criminal term after the completion and filing of the psychiatric/psychological report, and the period of such delay is excluded for purposes of the Speedy Trial Act. 18 U.S.C. § 3161(h)(1)(A).

IT IS SO ORDERED.

Signed: October 23, 2006



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Frank D. Whitney  
United States District Judge

